



Form- A

FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. - 13573 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	03/11/2020	<p>The appeal of Mr. Rustam Mehmood resubmitted today by Aamna Tareen Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 3/11/2020</p>
2-		<p>This case is entrusted to touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>18-02-2021</u></p> <p style="text-align: right;"> CHAIRMAN</p>

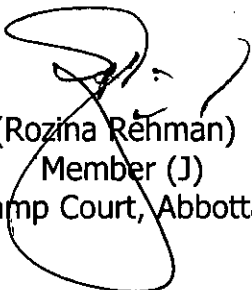
18.02.2020

Learned counsel for the appellant present. Preliminary arguments heard. File perused.

Points raised need consideration. The appeal is admitted to regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to respondents for written reply/comments. To come up for written reply/comments on 15.06.2021 before S.B at Camp Court, Abbottabad.

Appellant Deposited  
Security & Process Fee

11/3/21

  
(Rozina Rehman)  
Member (J)  
Camp Court, Abbottabad

SA No. 13573/2020

18.06.2021

The applicant Rustum Mehmood is present in person. He has submitted an application for early hearing and transfer of appeal from Camp Court Abbottabad to Principal Seat Peshawar. This file has been requisitioned in pursuance to the said application, which is placed on file.

It has been noted in the said application that previous date was adjourned due to non-availability of Bench at Abbottabad and next date was not fixed. The request in the application is accepted. Instant appeal be transferred from Camp Court, Abbottabad to Principal Seat Peshawar. Security and process fee have already been deposited. The respondents were directed on previous date i.e. 18.02.2021 for submission of written reply/comments and the case was fixed for said purpose before the S.B at Camp Court Abbottabad on 15.06.2021. Therefore, it will be necessary to issue notices to the respondents as to transfer of appeal from Camp Court Abbottabad to Principal Seat Peshawar with direction for filing of written reply/comments within 10 days in office after receipt of notice, positively. If the written reply/comments are not submitted within the stipulated time, the office shall submit the file with a report of non-compliance. File to come up for arguments before D.B on 14.09.2021 at Peshawar.

  
Chairman

12.07.2021

Learned Addl, A.G be reminded about the omission and for submission of reply/comments within extended time of 10 days.

  
Chairman

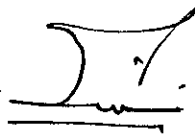
Stipulated period passed reply not submitted.

4.09.2021

Appellant in person present. Dr. Ijaz Rehmatullah, D.M alongwith Mr. Riaz Ahmed Paindakhel, Assistant Advocate General for official respondents No. 1 to 3 present. Private respondents No. 4 to 6 were summoned through registered post however, none present on their behalf, hence they are placed ex-parte.

Learned Assistant Advocate General for official respondents sought time for submission of comments. Adjourned. Last opportunity given. To come up for submission of reply/comments on behalf of respondents No. 1 to 3 as well as arguments before the D.B on 13.10.2021.

  
(ATIQU-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

13.10.2021

Appellant with counsel present.

Asif Masood Ali Shah, Deputy District Attorney alongwith Dr. Ijaz DMS and Muhammad Shahab Record Keeper for respondents present and submitted reply/comments, which are placed on file.

Former made a request for adjournment; granted. To come up for arguments on 10.11.2021 before D.B.



(Atiq-Ur-Rehman Wazir)  
Member (E)



(Rozina Rehman)  
Member (J)

10.11.2021

Appellant in person present. Mr. Muhammad Shahab Computer Operator alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for official respondents No. 1 to 3 present. Private respondents No. 4 to 6 alongwith their counsel Syed Nouman Ali Bukhari, Advocate present and stated at the bar that they have submitted an application for cancellation of the ex-parte proceedings, which is available on the record. Appellant sought adjournment on the ground that his counsel is unable to appear before the Tribunal today due to illness. Adjourned. To come up for reply and arguments on the application as well as further proceedings before the D.B on 25.11.2021.



(ATIQ UR REHMAN WAZIR)  
MEMBER (E)



(SALAH-UD-DIN)  
MEMBER (J)

25.11.2021

Appellant alongwith his counsel present. Mr. Muhammad Adeel Butt, Addl: AG alongwith Dr. Ijaz Rahmatullah, DMS and Mr. Muhammad Shahab, Record Keeper for official respondents and private respondents No. 4 to6 with counsel present.

Learned counsel for the appellant submitted reply of application for cancellation of Ex-parte decision against respondents No. 4 to 6 which is placed on file. Adjourned. To come up for arguments on application/further proceedings on 07.12.2021 before B.B.

  
(MIAN MUHAMMAD)  
MEMBER (E)

07.12.2021

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General alongwith Dr. Ijaz Rahmatullah, DMS and Mr. Muhammad Shahab, Record Keeper for official respondents No. 1 to 3 and private respondents No. 4 to 6 in person present.

T the application submitted by private respondents seeking to set-aside ex-parte proceedings was responded by submission of reply on previous date. The case was fixed for arguments on the said application, today. The appellant has got no objection on setting-aside of the ex-parte proceedings directed vide order dated 04.09.2021. As such, the order placing the private respondents ex-parte is recalled. The official respondents have already submitted reply. As ex-parte proceedings order against the private respondents has been recalled without imposition of cost; therefore, they are directed to submit their written reply positively within 10 days in office, failing which their right for submission of reply shall be deemed as struck off. This case be fixed before the D.B on 10.01.2022 comprising the bench other than the Chairman.


  
(Salah-ud-Din)  
Member (J)

  
Chairman

11.01.2022

Appellant in person present. Mr. Kabirullah Khattak, Addl. AG alongwith Dr. Ijaz DMS and Mr. Shahab, Record Keeper for official respondents No. 1 to 3 present. Clerk of private respondents No. 4 to 6 present.

Reply/comments on behalf private respondents No. 4 to 6 are still awaited. Clerk of private respondents No. 4 to 6 sought time for submission of reply/comments. Last opportunity is granted to private respondents to furnish reply/comments on or before next date, failing which their right to submit reply/comments shall be deemed as struck off by virtue of this order. To come up for arguments before the D.B on 28.04.2022.



(Atiq-Ur-Rehman Wazir)  
Member (E)

31.01.2022

Nemo for the appellant. Asif Masood Ali Shah, learned Deputy District Attorney for official respondents No.1 to 3 present. Learned counsel for private respondents No. 4 to 6 present.

Notice for prosecution of the instant appeal be issued to appellant as well as his counsel. Adjourned. To come up for arguments on 28.04.2022 before the D.B.



(Rozina Rehman)  
Member (J)



(Salah-Ud-Din)  
Member (J)


28.04.2022

Appellant alongwith his counsel namely Mr. Inayat Ullah Khan Tareen, Advocate, present, who submitted fresh Wakalatnama on behalf of the appellant, which is placed on file. Mr. Safi Ullah, Focal Person alongwith Mr. Riaz Ahmed Pindakhel, Assistant Advocate General for official respondents No. 1 to 3 present. Syed Noman Ali Bukhari, Advocate, on behalf of private respondents No. 4 to 6 present.

Learned counsel for the appellant submitted copy of office order dated 11.11.2021, whereby private respondents No. 4 to 6 have been reverted to their original position i.e Ward Orderly (BPS-04). Learned counsel for private respondents No. 4 to 6 stated at the bar that the aforementioned order dated 11.11.2021 has been challenged through filing of Service Appeal before this Tribunal. Learned counsel for the appellant submitted an application that the case in hand may be fixed for arguments. Adjourned. To come up for arguments on 08.07.2022 before the D.B.



(Mian Muhammad)  
Member (E)



(Salah-ud-Din)  
Member (J)

8-7-2022

Due to Holiday of Eid Ul Azha the  
case is adjourned to 25-10-2022

Reader



25.10.2022

Appellant present and submitted fresh Wakalatnama of Mr. Muhammad Maaz Madni, Advocate, which is placed on file. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for official respondents No. 1 to 3 present. None present on behalf of private respondents No. 4 to 6.

Appellant stated at the bar that private respondent No. 5 namely Wasiq Khan has filed service appeal before this Tribunal, which is fixed for preliminary hearing on 15.11.2022, therefore, the appeal in hand may also be fixed on the said date. Adjourned. To come up for arguments on 15.11.2022 before the D.B.

Previous date was changed on Reader Note, therefore, notices be issued to private respondents as well as their counsel through registered post for the date fixed.

15<sup>th</sup> Nov. 2022

Assistant to counsel for the appellant present.

(Mr. Muhammad)

Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate

General for the official respondents present. Nemo for the private respondents.

(Salah-Ud-Din)  
Member (J)

Former requested for adjournment due to engagement of learned senior counsel for the appellant in Honourable Peshawar High Court. Adjourned. To come up for arguments on 06.01.2023 before the D.B.

(FAREEHA PAUL)  
Member(E)

(ROZINA REHMAN)  
Member (J)

*Private respondents were not put on notice due to non-availability of postal tickets. While counsel was informed telephonically.*